

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Tony Garcia
DOCKET NO.: 06-20427.001-R-1
PARCEL NO.: 16-07-405-017-0000

The parties of record before the Property Tax Appeal Board are Tony Garcia, the appellant, by attorney Rusty A. Payton of the Law Offices of Rusty A. Payton, P.C., Chicago, Illinois; and the Cook County Board of Review.

The subject property is a 103-year old, two-story frame dwelling containing 2,488 square feet of living area. The dwelling has an unfinished basement, a fireplace, and a two-car garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process. The appellant submitted three suggested comparable properties located in close proximity to the subject. The comparables are described as two-story frame dwellings that are between 102 and 112 years old. Features had varying degrees of similarity and dissimilarity when compared to the subject. The comparables contain from 2,500 to 3,092 square feet of living area and have improvement assessments ranging from \$11.35 to \$15.11 per square foot of living area. The subject property has an improvement assessment of \$18.30 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. In support of the subject's assessment, the board of review presented property characteristic sheets and an assessment analysis of four suggested comparables. The comparables consist of two-story frame or frame and masonry dwellings that are 97 to 112 years old. Features had varying degrees of similarity and dissimilarity when compared to the subject. The dwellings contain from 2,783 to 3,302 square feet of living area and have improvement assessments of \$18.40 to \$20.59 per square foot of

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	8,749
IMPR.:	\$	45,526
TOTAL:	\$	54,275

Subject only to the State multiplier as applicable.

living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not overcome this burden.

The Board finds the parties submitted seven suggested comparables for consideration. The Board gave less weight to three comparables submitted by the parties due to their larger size when compared to the subject. The Board finds the remaining four comparables to be most similar when compared to the subject in age, size, design, features and location. These comparables have improvement assessments ranging from \$11.35 to \$20.26 per square foot of living area. The subject's improvement assessment of \$18.30 per square foot of living area falls within this range. After considering adjustments for any differences when compared to the subject, the Board finds the subject's improvement assessment is supported and no reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.